

REMARKS

Applicant respectfully requests reconsideration of the issues raised in the Office Action.

Status of Claims

Claim 1 is cancelled. Claims 2-12 and 19-22 are allowed. Claim 13 has been amended to render it more clearly distinguishable from the prior art of record. Claims 14-17 have been objected to and Claims 14-18 depend from Claim 13. It is respectfully submitted that Claims 13-18, the only claims at issue, are now in formal condition for allowance.

Claim 13 has been rejected as being unpatentable in view of the combination of two patents, namely, US Patent Nos. 6 203 085 (Ferris) and 5 432 966 (Berta et al). While the previous version of Claim 13 was thought by the undersigned to be allowable, Claim 13 has, nevertheless, been amended by adding the word "immovably" to specify that the bracket frame is not moveable relative to the frame of the ambulance cot. The previous version of Claim 13 specified in the last three lines of the claim that the "bracket frame" includes a positioning device for releasably holding the second wheel-like member in at least one position relative to the first axis. The claim language was intended to refer to a physical holding of the second wheel rather than a holding of the bracket on which the wheel is mounted. It is noted that the Examiner did not discuss this feature at all. Instead, the Examiner referenced that Ferris fails to disclose a wheel supporting base and an elevating mechanism for varying an elevation of the frame relative to the base. The Examiner further asserted that the Berta et al reference discloses an elevating mechanism and that it would have been obvious to one having ordinary skill in the art at the time of the invention to employ the wheel supporting base and elevating mechanism as taught by Berta in order to roll the frame of Ferris in and out of a floor of an ambulance. Claim 13 does recite an elevating mechanism.

Referring again to the last three lines of Claim 13 and the teachings in Ferris, the Ferris reference discloses a bracket frame (11) that is pivotal about the axle (26) and the provision of a torsion spring (29) for holding the bracket frame at, for example, the position illustrated in Figure 2. There is no positioning device structure in Ferris that has anything to do with a releasable holding of the large diameter wheel (22) per se in at least one position relative to the first axis (axis of axle 23). Rather than belabor the point, Applicant has amended Claim 13 to recite that bracket frame (11) is immovably fastened to the ambulance cot frame (12). This feature in combination with the feature set forth in the last three lines of Claim 13 distinguishes Claim 13 from Ferris and Berta et al as required by the provisions of 35 USC 102 and 103, because the bracket frames (25a, 25b) in Ferris are both movable with respect to the cot frame, namely, they are both pivotally supported at pin (26) to the ambulance cot frame (16).

Further and favorable consideration of this application is respectfully solicited.

Respectfully submitted,



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